

ORIGINAL
Red)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

SPECIAL BULLETIN A

\$250K Regional Administrator Activation

SUBJECT: E-Z Chemical Site
Philadelphia, Philadelphia County, Pennsylvania

DATE: APR 07 1989

FROM: Gerald T. Heston, Senior On-Scene Coordinator
Western Response and Oil Enforcement Section (3HW25)

TO: Stanley L. Laskowski, Acting
Regional Administrator (3RA00)

ISSUE

The attached CERCLA Funding Request pertains to the E-Z Chemical Site in Philadelphia, Philadelphia County, Pennsylvania.

Emergency Removal operations are necessary to eliminate the threat to the public health and the environment posed by the presence of hazardous chemicals stored in and around the site. Of most immediate concern is the potential for fire and explosion involving or due to drums containing flammable materials. Immediate segregation, proper staging and disposal of the materials would eliminate the immediate threat.

I. BACKGROUND

A. Site Description

The E-Z Chemical Site formerly operated primarily as a drum and chemical re-packaging plant. It is approximately 1.5 acres in size and located at Canal and Laurel Streets in Philadelphia, Philadelphia County, Pennsylvania in an urban area. Adjacent to the site to the southeast is a meat packing/processing plant and an apartment complex is located approximately two blocks to the south. The elevated train

I. BACKGROUND (continued)

line and I-95 runs two blocks from the site, and a bus/limousine service is adjacent to the site on the west. The site's perimeter is bound by a chain link fence which is in disrepair along the southwestern property line. The main yard is filled with stacked 55-gallon drums, 5-gallon pails, bags and fiber drums both labeled and unlabeled. A lab is located on the second floor of the building on site and contains many unlabeled bottles and suspected shock-sensitive materials. The wooden floor is unstable and decaying in some spots.

There are approximately thirty tanks on site, two tank trucks and estimated over 2000 55-gallon drums. On the southwestern end of the property is a large bulk storage tank (approximately 70ft. high x 60ft. in diameter) which serves as a warehouse for a large number of drums and containers, all of unknown identity. Access into the tank was obtained by a hole cut into the side of the tank through which a five-ton truck could be driven.

B. Incident Characteristics

1. Incident History

In August of 1988 the Philadelphia Department of Licenses and Inspections (L&I) issued a Cease and Desist Order to the E-Z Chemical Company, Inc. According to city officials the order was not fully complied with which prompted a second Cease and Desist Order issued by L&I on April 5, 1989 this one adding an order to evacuate the premises. According to Philadelphia Fire Department records there has been numerous complaints from neighboring businesses of strong odors and vapors in the air and sightings of fuming drums. There were also reported cases of chemicals being discharged into the sanitary sewer. The Philadelphia Fire Department has responded to a number of fires at this facility, the sources for which have been attributed to vandals. The local fire company tasked with response to fires at the site (Engine 29) has expressed repeated concern over their ability to respond adequately to future fires. Consequently, Engine 29 had prepared a Fire and Explosion Contingency Plan specific to E-Z Chemical Company, Inc.

The EPA Region III Emergency Response Section was requested to conduct a joint inspection of the business' premises on April 4, 1989 by Chief Janda of the Philadelphia Fire Dept. Hazmat Unit. Janda indicated that E-Z Chemical Company, Inc. was thought to be in violation of Title III SARA as evidenced by the company's official failure to comply with the provisions of a Cease and Desist Order issued by L&I.

EPA performed a visual inspection of the facility on April 5, 1989 accompanied by the City of Philadelphia Managing Director's Office, the Fire Marshal's Office, the Philadelphia Fire Department Hazmat Unit, L&I, and the City Solicitor's Office. Access to the premises was freely given by the operator and an examination of the property was performed. Within the site's perimeter there are two sewer drains. It is suspected that a discharge of chemicals into the southern drain has taken place as evidenced by discoloration of the ground immediately adjacent to the drain and also by the presence of an unidentified liquid which has pooled on the ground approximately one foot from the drain. The runoff from the property empties into the street and discharges into a sewer culvert adjacent to the facility's main gate. This sewer is reported to empty into the city's water treatment plant; however, during periods of heavy rainfall, run-off is directly discharged into the Delaware River.

2. Current Waste Management Practices

At present, numerous drums and containers of a wide variety of chemicals are incompatibly stored and stacked dangerously high. There is a laboratory in the building on site which contains various potentially shock-sensitive chemicals and numerous unlabeled bottles. The tank now being used for storage of drums and containers has approximately six inches of water on its floor. The two drains on site are currently clogged with sludge. Numerous drums are leaking and some are split open.

C. Quantities and Types of Substances Present

1. Hazardous Substances Present

There are approximately 30 tanks, two tank trucks and estimated over 2000 55-gallon drums on site. The tank used for drum storage in the southwestern end of the property houses an estimated 500 drums all of unknown identity. The laboratory contains approximately 5 containers of ether, 25 one-gallon bottles of acids, and approximately 150 16 oz. bottles of unlabeled liquids.

A partial list of chemicals identified are:

Acetic Acid	Aniline
Hydrofluoric Acid	Hydrogen Peroxide
Phenol	Phosphoric Acid
Sulfuric Acid	Anhydrous Ether
Nitric Acid	Ammonium Hydroxide
Ethyl Butanol	Sodium Chlorite (water-reactive)

These materials fall into numerous categories such as oxidizer, corrosive, poison and flammable, and remain unsegregated.

2. Proposed Sampling Methodology

All environmental extent-of-contamination samples will be taken with disposable sampling equipment to avoid cross contamination. Once taken, samples will be preserved according to EPA sampling protocol (i.e. ice, acidification) and sent to private laboratories with appropriate labeling and chain of custodies. Drum or product sampling, handling and analysis will follow EPA high-hazard protocol. The laboratories will be directed to perform the proper QA/QC on samples analyzed.

D. City Authorities' Roles

The Philadelphia Fire Department Hazmat Unit notified EPA Region III Response Sections of the situation at the E-Z Chemical Company, Inc. The Department of Licensing and Inspection issued E-Z Chemical two Cease and Desist Orders with which the owner has not fully complied. In addition, the facility had reportedly not complied fully with Title III reporting requirements. The fire department expressed a strong concern over the potential threat of fire and explosion due to mixing of incompatible chemicals or arson. Potential impact on surrounding population and major transportation arteries as a result of the aforementioned is significant.

II. THREAT TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

The E-Z Chemical Site meets the criteria for a Removal Action under NCP Section 300.65 in that there is an imminent threat to human health and the environment. The NCP Removal Criteria (Section 300.65) that pertain to this site are as follows:

- Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;
- High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate;
- Weather conditions that cause hazardous substances or pollutants or contaminants to migrate or be released.

A. Threats to Public Health and Welfare

Due to the deteriorated condition of numerous drums and containers and the partially unsecured nature of the site, vandalism and/or human exposure (direct contact or air release) and injury could easily occur. The estimated 2000 drums and suspected shock-sensitive materials on site pose a fire and explosion threat.

B. Threats To The Environment

Threats to the environment posed by the current situation at the facility include uncontrolled release of hazardous materials in deteriorated containers, and discharge of chemicals into the sanitary sewer or into the Delaware River.

III. ENFORCEMENT

See attached Confidential Enforcement Status.

IV. PROPOSED ACTIONS AND COSTS

A. Proposed Scope of Work for Initial Phase of the Project

I. SECURITY

A 24-hour security will be instituted to monitor site entrances. The portions of fence in disrepair shall be replaced or repaired. Locks in poor condition shall be replaced. Included in the 24-hour security shall be a fire watch.

Emergency phone numbers and procedures shall be clearly posted and available at all times. Fire extinguishers shall be placed:

- at the building entrance
- at the east gate
- at the "tank dumping area"
- at the storage shed and tank area

II. INVENTORY

All containers on site are to be characterized and identified by sampling or confirmation of label information. Information shall be gathered to determine:

- type and condition of container
- labels and markings
- amount of material in container
- chemical and physical state/properties

III. SEGREGATION

All containers - drums, 5-gallon pails, bags, etc., shall be segregated by compatibility group:

- oxidizers
- flammables, combustibles
- poisons
- corrosives
- other

IV. HOUSEKEEPING

The garbage and debris outside the eastern fence shall be inventoried for stray containers and sampled if necessary to ensure non-contamination prior to disposal.

Storm and sewer drains shall be secured with a dike or by other means to prevent migration of contaminants off site. Should run-off/rainwater collect and hamper operations, the water will be transferred into drums and sampled for contamination prior to any disposal action.

V. COMMUNITY SAFETY AND AWARENESS

The adjacent businesses will be informed of hazardous operations such as moving of containers, liquid transfer, disposal, etc. The air shall be monitored with the appropriate instrumentation to ensure that no chemical vapors escape the property or adversely affect adjacent persons. Should an incident occur, emergency procedures shall be enacted and proper authorities be notified. In addition, evacuation of adjacent properties may be warranted, to be coordinated through local agencies.

To address these issues, a safety plan, air monitoring plan, and contingency/emergency plan shall be in place prior to hazardous operation.

Community relations will be coordinated through EPA Office of Public Affairs. The OSCs will coordinate on site operations and emergency procedures/notification through the LEPC and/or SERC representative. OPA will also coordinate public information through the LEPC and/or SERC representative.

VI. DISPOSAL

Subsequent to identification and segregation, all waste streams must be properly sampled, disposed of and/or treated at an approved, licensed facility by compatibility group.

Tank contents will be sampled and transferred into liquid tank trailers for disposal at a licensed, approved facility. The tanks shall be cleaned and wash/rinse water will be disposed of in a similar manner.

All hazardous waste transporters shall be properly licensed and all loads have proper manifests.

VII. BUILDING/LABORATORY

Subsequent to the removal of flammables and poisons, the laboratory area will be addressed. Any and all shock-sensitive materials must be identified. Containers will be inventoried, characterized and segregated by compatibility group. Proper labpack procedures will be followed for disposal of lab materials. Unknown will be tagged and either analyzed or disposed of in an approved manner. A fire extinguisher will be placed inside the laboratory during these operations.

Subsequent to the removal of all materials, the laboratory floor, benches, and any other pertinent area will be decontaminated.

VIII. FINAL PHASE

Surface soil, runoff water, and asphalt will be sampled to ensure that residual contamination does not exist. Should such contamination be found, removal of said areas will be necessary, followed by proper disposal of excavated materials. The excavated areas will be backfilled in accordance with original grade.

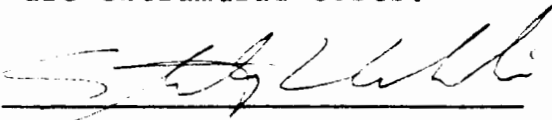
B. Estimated Costs for initial stabilization phase

These costs reflect the project funds to cover the inventory, segregation and stabilization. The OSC expects that these costs will be sufficient to begin proposed actions I, II, III, IV, and will submit an additional funding as soon as a better cost estimate is available.

<u>Extramural Costs</u>	<u>Estimated Costs</u>
Cleanup Contractor	\$150,000
TAT Costs	\$ 35,000
Subtotal Extramural Cost	\$ 160,000
Contingency	\$ 20,000
Total Extramural Cost	\$ 205,000
<u>Intramural Costs</u>	
EA Direct Costs	\$ 20,000
EPA Indirect Costs	\$25,000
TOTAL PROJECT CEILING ESTIMATE	\$250,000

VI. RECOMMENDATION

Because conditions at the E-Z Chemical Site meet the criteria of Section 300.65 of the NCP, I have approved \$250,000 of CERCLA funds to initiate this removal action, of which \$205,000 are extramural costs.

Approval  Date 4-7-89

ORIGINAL
(Red)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Funding Request for the E-Z Chemical Site
Philadelphia, Pennsylvania

DATE: APR 19 1989

FROM: Stanley L. Laskowski, Acting
Regional Administrator (3RA000)

TO: Jonathan Z. Cannon, Acting Assistant Administrator
Office of Solid Waste and Emergency Response (WH-562-A)

ISSUE

The attached CERCLA Funding Request pertains to the E-Z Chemical Site in Philadelphia, Pennsylvania.

Continued removal operations are necessary to eliminate the threat of fire and explosion and potential release of hazardous materials due to the presence of incompatibly stored hazardous substances at the E-Z Chemical site.

Pursuant to the Delegation of Authority 14-1-A (9/13/87), and Section 104 (c) of the Superfund Amendments and Reauthorization Act (SARA) of 1986, which authorized the Regional Administrator to approve CERCLA Removal Actions with a total estimated cost of less than \$2,000,000, I have approved a ceiling increase of \$1,701,500. \$1,391,500 of this is for extramural costs. This increase raises the total project ceiling to \$1,951,500.

Attachment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Additional Funding Request for the E-Z Chemical Site
Philadelphia, Pennsylvania

DATE: APR 19 1989

FROM: Gerald T. Heston, Sr. OSC George English, OSC
Western Response Section (3HW25) Eastern Response Section (3HW22)

TO: Stanley L. Laskowski, Acting
Regional Administrator (3RA00)

THRU: Thomas C. Voltaggio, Acting Director
Hazardous Waste Management Division (3HW00)

I. PURPOSE

This is a request for additional funding to continue removal actions at the E-Z Chemical Site in Philadelphia, Pennsylvania. Hazardous chemicals are currently stored in and around a building onsite. Additional funds in the amount of \$1,701,500 will be utilized to secure the onsite building, perform a complete chemical inventory, segregate incompatible materials, overpack laboratory chemicals, and dispose of waste materials. These funds will be in addition to the \$250,000 already allocated to this site.

II. BACKGROUND

E-Z Chemical Co., Inc. is operated as a drum and chemical repackaging plant. It is located at Canal and Laurel Streets in Philadelphia, PA. The site is approximately 1.5 acres in size and in an urban area. Adjacent to the site to the southeast is a meat packing/processing plant, south of the site at 1060 Delaware Avenue is an apartment complex. The elevated train line and I-95 lie two blocks from the site, and a bus/limousine service is adjacent to the site on the west. The site's perimeter is bounded by a chain-link fence which had fallen down along the southwestern property line. This has since been repaired by the ERCS contractor. The main yard is filled with stacked 55-gallon drums both labeled and unlabeled. A lab is located on the second floor of the building containing various acids and many unlabeled bottles. The wooden floor is unstable and decaying in some places.

There are 30 tanks onsite, two tank trucks and as many as 5,000 drums half of which may be empty. On the southwestern end of the property is a large bulk storage tank (approximately 70 feet x 60 feet in diameter) which serves as a warehouse for a large number of drums and containers, all of unknown identity. Access into the tank is obtained through an existing hole which has been cut into the side of the tank which is large enough for a 5-ton truck to enter.

A partial list of the chemicals identified are:

Acetic Acid	Aniline
Hydrofluoric Acid	Hydrogen Peroxide
Phenol	Phosphoric Acid
Sulfuric Acid	Anhydrous Ether
Nitric Acid	Ammonium Hydroxide
Ethyl Butanol	Sodium Chlorite

Due to the serious threat of fire and explosion, as indicated by the Philadelphia Fire Marshal, and the apparent inability of the responsible party to take action, the OSC requested and received approval from the Regional Administrator for an initial project ceiling of \$250,000 to begin to secure and stabilize the site.

III. THREAT

The E-Z Chemical Site meets the criteria for removal action under the NCP Section 300.65 in that there is a substantial threat to public health or welfare and/or the environment based upon factors (i), (iii), and (vi) in subpart [b] (2) as follows:

- (i) Actual or potential exposure to hazardous substances by nearby populations, animals, or food chain;
- (iii) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers that may pose a threat of release;
- (iv) Threat of fire or explosion.

Many of the drums stored onsite are stacked three high on deteriorated pallets, with little or no attention paid to incompatibilities. Acid drums are stored among various flammable liquids. Corrosive materials can react and generate sufficient heat to cause other combustible material to burn.

During the preliminary assessment, a number of cans of ether were discovered in the laboratory. Over time, ether can form peroxides, which can be extremely shock-sensitive. This increases the threat of fire and explosion threat at the site.

IV. PROPOSED PROJECT AND COSTS

EPA Actions To-Date:

- * Mobilization of ERCS contractor.
- * Repair of fence in needed areas.
- * After-hours security.
- * Removal/clearing of empty drums for staging of full drums.

The proposed action will include the activities outlined in the initial funding request: securing the site from unauthorized entry, inventorying containers, performing compatibility analysis, segregating all incompatible materials, staging of all hazardous materials/substances and disposal of hazardous waste as necessary to eliminate the immediate threat to human health and the environment. Although some disposal may be performed with this funding, the OSC anticipates that Removal Enforcement activities will bring about participation by other parties (See Section V below). If this does not occur, it is possible that additional funding will be needed at that time for disposal.

Estimated project costs are as follows:

	Current Ceiling	Additional Funds	New Ceiling
EXTRAMURAL COSTS			
ERCS	\$150,000	\$1,200,000	\$1,350,000
TAT	35,000	65,000	100,000
EXTRAMURAL			
SUBTOTAL	\$185,000	\$1,265,000	\$1,450,000
CONTINGENCY	20,000	\$ 126,500	\$ 146,500
TOTAL	\$205,000	\$1,391,500	\$1,596,500
INTRAMURAL COSTS			
EPA DIRECT	\$20,000	\$ 55,000	\$ 75,000
EPA INDIRECT	\$25,000	\$ 105,000	\$ 130,000
SUBTOTAL	\$45,000	\$ 160,000	\$ 205,000
PROJECT CONTINGENCY		\$ 150,000	\$ 150,000
TOTAL PROJECT		\$1,701,500	\$1,951,500
CEILING \$250,000			

V. ENFORCEMENT

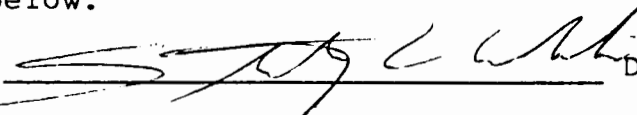
See attached Confidential Enforcement Status.

VI. REGIONAL RECOMMENDATION

Because conditions at the E-Z Chemical Site meet the NCP Section 300.65 criteria for a Removal Action, I recommend your approval of this request. The estimated cost for these activities is \$1,951,500, of which \$1,596,500 is for extramural contractor costs.

You may indicate your approval or disapproval by signing below.

APPROVAL

 DATE 4-18-89

DISAPPROVAL

DATE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

DEC 1 1989

MEMORANDUM

SUBJECT: Exemption from the \$2M Statutory Limit Request for the E-Z Chemical Company Site, Philadelphia, PA -- TRANSMITTAL MEMORANDUM

FROM: *Hans J. Crump-Wiesner*
Hans J. Crump-Wiesner, Acting Director
Emergency Response Division

TO: Don R. Clay
Assistant Administrator

THRU: Henry L. Longest II, Director *Henry L. Longest II*
Office of Emergency and Remedial Response

Attached is a request, dated October 30, 1989, from the Region III Regional Administrator for an exemption to the \$2M statutory limit to complete removal actions at the E-Z Chemical Company site. If approved, the total project ceiling will be raised from \$1,951,500 to \$2,993,000. Of the total project ceiling, \$2,341,000 are for extramural cleanup contractor costs. The requested ceiling increase has been planned in Region III's first quarter, FY'90 SCAP.

Because conditions at the E-Z Chemical Company site continue to meet the emergency exemption criteria of section 104(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, I recommend that you approve this ceiling increase for a new total project ceiling of \$2,993,000 for response actions at the E-Z Chemical site. As noted in the Enforcement attachment to the Region's Action Memorandum, if the previous landowner is determined to be financially viable, a unilateral administrative order will be issued to that PRP prior to work commencing under this action memorandum. You may indicate your decision on the attached Region III action memorandum.


Attachment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Request for Additional Funding and
Exemption from the \$2,000,000 and
One-Year Limit at the E-Z Chemical CERCLA
Removal Site, Philadelphia, Pennsylvania

DATE: OCT 30 1989

FROM: Edwin B. Erickson 
Regional Administrator (3RA00)

TO: Jonathan Z. Cannon, Deputy Assistant Administrator
Office of Solid Waste and Emergency Response (OS-100)

THRU: Henry L. Longest II, Director
Office of Emergency and Remedial Response (OS-200)

ATTN: Timothy Fields, Jr., Director
Emergency Response Division (OS-210)

I. PURPOSE

This is a request for additional funding to continue removal actions at the E-Z Chemical Site in order to abate the fire/explosion threat posed by the hazardous substances on site.

Continued response actions at the E-Z Chemical CERCLA Removal Site are expected to exceed the \$2,000,000 and one-year statutory limits. Removal activities cannot be continued unless an exemption is granted pursuant to Section 104 (c) (1) of CERCLA as amended by SARA.

Since the current project ceiling is inadequate to continue removal actions, a funding increase of \$1,041,600 for a new ceiling of \$2,993,100, of which \$2,626,000 are extramural costs, is requested to continue stabilization and removal actions.

II. BACKGROUND

The E-Z Chemical Site is located at Canal and Laurel Streets in the city of Philadelphia, Pennsylvania. The area surrounding the 1.5 acre site is urban/industrial. Adjacent to the site, on the southeast is a meat packing/processing plant; to the south are various warehouse businesses, to the immediate west, a bus/limousine service; and to the southwest horse stables for carriage tours.

The elevated train line and heavily travelled Rte. I-95 are located two blocks to the west. An apartment complex is located two blocks south of the site on Delaware Avenue, a major north-south artery of the city. Both Delaware Avenue and I-95 are travelled by approximately 100,000 vehicles daily. Center City Philadelphia is located approximately five blocks to the west. Thousands of residents would be affected should a quarter-mile evacuation need to be instituted. Dozens of businesses would also be affected and I-95 may have to be closed.

The former E-Z Chemical Company operated as a re-packaging, storage, and brokerage facility. This spring, the Philadelphia Fire Marshal's Office certified the facility as a fire and explosion threat. The operators were issued a cease, desist and evacuate order by the Philadelphia Department of Licenses and Inspections on April 5, 1989.

The site consists of tanks, tank trucks, a tank/warehouse, a building, and the main yard. There are 26 tanks onsite which originally contained corrosives, solvents, plasticizers, and foodstuffs (coconut oil). Most of the hazardous substances in these tanks have already been removed by the manufacturers. Two tank trucks are parked on the property and have been found to contain sludge and solidified solvent material. The tank/warehouse is a tank, approximately 60 feet high by 70 feet in diameter, into which a truck entranceway was cut. Stored in this "warehouse" were approximately 500 drums, a pallet with boxes containing laboratory containers, pallets containing mixed loads of full and empty containers, and approximately 200 cases of reagentgrade sulfuric acid. The building contains several storage bays, an office littered with bottles of test mixtures, and a second-floor laboratory containing an unknown number of laboratory containers, some of which are potentially shock-sensitive. A

loading dock and conveyor-belt room filled with containers of hazardous substances are attached to the building. The main yard contains thousands of drums, boxes, cartons, and lab packs found unsegregated, stacked dangerously high, and in various stages of deterioration.

Two municipal sewer drains are located adjacent to the site on Canal Street. The drains lead to the Philadelphia Water Treatment Plant, except during heavy rainfall, in which case they empty directly into the Delaware River approximately two blocks to the southeast.

EPA Region III initiated an emergency removal action at this site April 7, 1989, under Acting Regional Administrator Stanley L. Laskowski's authority. Twenty-four-hour security was instituted and remains in effect. An additional \$1,701,500 was approved on April 18, 1989, to continue response actions.

Removal activities to date have concentrated on identification, segregation, and removal of viable and recoverable products by Potentially Responsible Parties (PRPs). Additionally, all drums have been staged for sampling according to their suspected compatibility. The OSC has been working closely with CERCLA Removal Enforcement Section (CRES) personnel to affect cost savings by exacting recovery of products by PRPs. (See attached Confidential Enforcement Status.) This site is not currently scored for nor ranked on the National Priorities List. The last phase of response necessary to mitigate the threat of fire and explosion posed by this site is disposal of the remaining hazardous substances.

III. SITE CONDITIONS

Approximately 4,500 containers have been inventoried to date, representing approximately 95% of the total, excluding lab containers and empty drums. PRPs have removed 1,135 drums, 24,080 pounds, 40,783 gallons and 96 bags of product. Also, 9,045 empty containers, 638 cubic yards of debris, and 15,550 gallons bulk flammable liquid have been disposed of to date. Removal of empty containers and debris was essential to create work space, allow for emergency egress, and eliminate tripping hazards onsite.

Immediate segregation and identification were logistically impossible due to limited and confined work space. Many drums were in poor condition and leaking and, therefore, addressed as they were discovered. Many drums also have incorrect labels; e.g., acetic acid labeled phosphorous oxychloride and ethyl ether labeled aniline. Many drums had no labels, or had only a DOT label, e.g., flammable solid, with no other indication of contents. Some products were from foreign shipments and had non-U.S. labels and codes. Up until this time, efforts were concentrated on identifying and removing manufacturer product to avoid costs of disposal of these materials. Disposal that remains to be accomplished is for hazardous substances, not claimed by PRPs as a waste or product.

All partially filled drums have been bulked together by compatibility. The remaining drums onsite are assumed to be full. Lab containers and test mixtures are being bulked into drums by compatibility/waste stream, except for those with special hazards, e.g., water-reactive, which will be lab packed.

Sampling of all drums for compatibility and disposal is currently under way. Funds requested at this time will be used for the disposal of approximately 2,500 drums and 10 lab packs. These actions will mitigate the immediate threat to public health and the environment.

IV. THREAT

Through enforcement actions, most of the known products have been removed by PRPs. Characterization and identification are continuing to fully assess the threat to human health and the environment. The materials remaining onsite include acids, bases, oxidizers, poisons, pesticides and PCBs in addition to flammable and combustible substances.

Additionally, there are numerous trade names and mixtures. The number of different laboratory chemicals is much more extensive; potentially shock-sensitive lab containers discovered to date include picric acid, sodium azide, and uranyl nitrate (also radioactive). These were stabilized as they were discovered. Known water-reactive lab chemicals include potassium, sodium cyanide, phosphorous pentoxide, sodium hydrosulfite, and sodium sulfide. As long as such hazardous materials exist onsite, the original threat of fire and explosion remains.

V. STATUTORY CRITERIA

The E-Z Chemical Site continues to meet the following criteria as prescribed in CERCLA Section 104 (c) necessary to exceed the \$2,000,000 and one-year limit for removal actions.

- A. There is an immediate risk to public health, welfare or the environment.

Containers have been observed to spontaneously break open, collapse, or otherwise exude their contents due to their deteriorated condition. During periods of heavy rain, water has permeated containers, causing heat generation and/or occasional vapor release. Elevated temperatures in volatile or flammable liquid drums have also caused pressure buildup contributing to spills and vapor emissions.

Work on this site was originally activated by EPA Region III due to, among other hazards, the threat of fire and explosion. A great percentage of the containers unclaimed by PRPs were unknowns and therefore could not be staged according to compatibility prior to the analysis of the samples. The drums are presently staged for sampling, but are NOT staged according to compatibility.

Of immediate concern are the businesses and their employees to the east and west of the site. The meat packing firm to the east supplies beef to hotels and restaurants in the Philadelphia area. An average of three persons are continually loading trucks approximately 40 feet from the site perimeter. The predominant wind is from the west (toward the meat packing firm). Located to the immediate west of the site is the bus/limousine service. In addition to taxicab service, the company provides paratransit for handicapped persons. Approximately 100 employees are at risk of daily exposure to fire/explosion and vapor release should the cleanup be discontinued.

Should a fire occur onsite, the potential for catastrophic release is greatly magnified. Reactions between chemicals and resulting combustion products would affect thousands of persons in the surrounding densely populated area and additional thousands downwind. Due to vapor emission, closure of the Delaware River to river traffic and closure of I-95 would be necessary. Injury and loss of property and life would be probable.

Public health and the environment are at risk should a sizeable spill reach the sewer drains. The city water treatment cannot handle a discharge of highly toxic or concentrated substance and the city's water supply would be threatened. Flammable liquid spills would present a fire/ explosion threat to thousands of people should they be spilled into the sewers. The environment would also be endangered should such a point source discharge occur into the Delaware River.

B. Continued Response Actions are Immediately Required to Prevent, Limit, or Mitigate the Emergency

The E-Z Chemical Site contains an estimated minimum of 4,500 drums, 6,000 laboratory containers, 26 tanks, two tank trucks and highly contaminated surface soil. Approximately 50% of the laboratory containers and many of the drums remain unsegregated and in various stages of deterioration. Several spontaneous releases have occurred which were stabilized and cleaned up by EPA's contractor personnel.

Most of the 26 tanks onsite are in some state of deterioration. Insulation jackets have cracks and sections missing. Some tanks also have faulty valves and leaking pipes. Although the tanks are diked, there are drains within the diked areas which lead to an unknown location. PRPs have recovered/removed the contents of five of the tanks; six tanks were found to be empty. Therefore, fifteen tanks os suspected hazardous substances contain up to approximately 220,000 gallons which will need to be addressed.

The two tank trucks found abandoned on site are rusted and in deteriorated condition. They contain a sludge/solid organic material which is flammable. Warmer temperatures cause this material to liquify. There is presently no containment structure around the tankers, which are located approximately ten feet from a municipal sewer.

Included in the lab containers are those which have special hazards such as explosion upon contact with water, air, or organic materials; spontaneous ignition upon contact with water, air, or common materials; and potential for explosion due to shock-sensitivity.

In addition to deteriorated drums of flammable materials there are drums of oxidizers, acids, bases, poisons, and reactives scattered throughout the site. These also are a flammability hazard due to heat or oxygen generation due to mixing with water. Such heat may be sufficient to ignite a flammable material.

There also remains the possibility of toxic/corrosive vapor release to the surrounding community due to these materials mixing with water. Drums in poor condition are in danger of collapse due to material failure caused by expansion/contraction that occurs during winter months.

Surface soil has become highly contaminated due to the many releases from collapsed drums. Subsequent to the removal of the surface drums, the contamination from the soil will be carried offsite as runoff/sediment much more readily.

The potential for mixing of incompatible substances remains at this site. Continued removal actions are necessary to stabilize the present site conditions.

C. Assistance Will Not Otherwise be Provided on a Timely Basis

The property owner, facility operators, and other viable PRPs either do not possess the resources or are unwilling to perform or take over the cleanup (refer to attached Enforcement Confidential Memo.)

The Pennsylvania Department of Environmental Resources (PADER) does not possess the capabilities or resources to undertake a removal of this magnitude. Local agencies' involvement has been limited to community awareness and emergency support.

The E-Z Chemical Site has not been ranked on nor assessed for inclusion on the Final National Priorities List (NPL). The OSC, prior to closing the site, will refer the E-Z Chemical Site to the Region III Site Investigations Section for possible listing on the NPL. The ongoing removal must be completed prior to conducting adequate sampling and assessment for possible soil removal, tank cleaning, and inclusion on the NPL.

In order for EPA to demobilize from the site, the hazards onsite would either have to be removed or relocated. Onsite relocation (staging by compatibility) of the drums is the less feasible alternative. This would be extremely time- and labor-intensive due to the very limited space on the site. It would also require moving the drums unnecessarily a number of times, increasing the opportunity for releases.

The other alternative is the immediate removal of the hazardous substances as compatibility studies are being completed, waste stream identification is being performed, and disposal bids are being obtained. This course of action is recommended by the OSC as the most time- and cost-efficient method of mitigating the threats.

Continued removal actions will result in total surface mitigation of immediate human health threats and environmental hazards posed by this site. Therefore, the proposed actions are consistent with any long-term remedy.

VI. PROPOSED ACTIONS

The proposed actions to mitigate the threat to human health and the environment posed by the E-Z Chemical Site are:

- o Complete identification of hazardous substances and appropriate stabilization of all containers
- o Remove and dispose of sludge/solid solvent material in two deteriorated tank trucks
- o Bulk and/or remove drums and other containers by determined waste stream
- o Remove and dispose of site debris to allow access to drums
- o Remove and dispose of empty containers which contain hazardous residues, posing a direct contact threat
- o Continue 24-hour security throughout the project to monitor for fire or vapor release and guard against vandalism and direct contact.

VII. SUMMARY OF COSTS

	Current Ceiling	Additional Funds	New Ceiling
Extramural Costs			
ERCS Contractor (Includes Subcontracts, disposal, and 15% contingency)	\$1,500,000	\$841,000	\$2,341,000
TAT	220,000	40,000	260,000
USCG	25,000	0	25,000
Extramural Subtotal	1,745,000	881,000	2,626,000
Intramural Costs			
EPA Direct	75,000	24,000	99,000
EPA Indirect	110,000	41,600	151,600
Intramural Subtotal	185,000	65,600	250,600
10% Project Contingency	0	95,000	95,000
Unallocated Funds	21,500	0	21,500
Total Project Ceiling	\$1,951,500	\$1,041,600	\$2,993,100

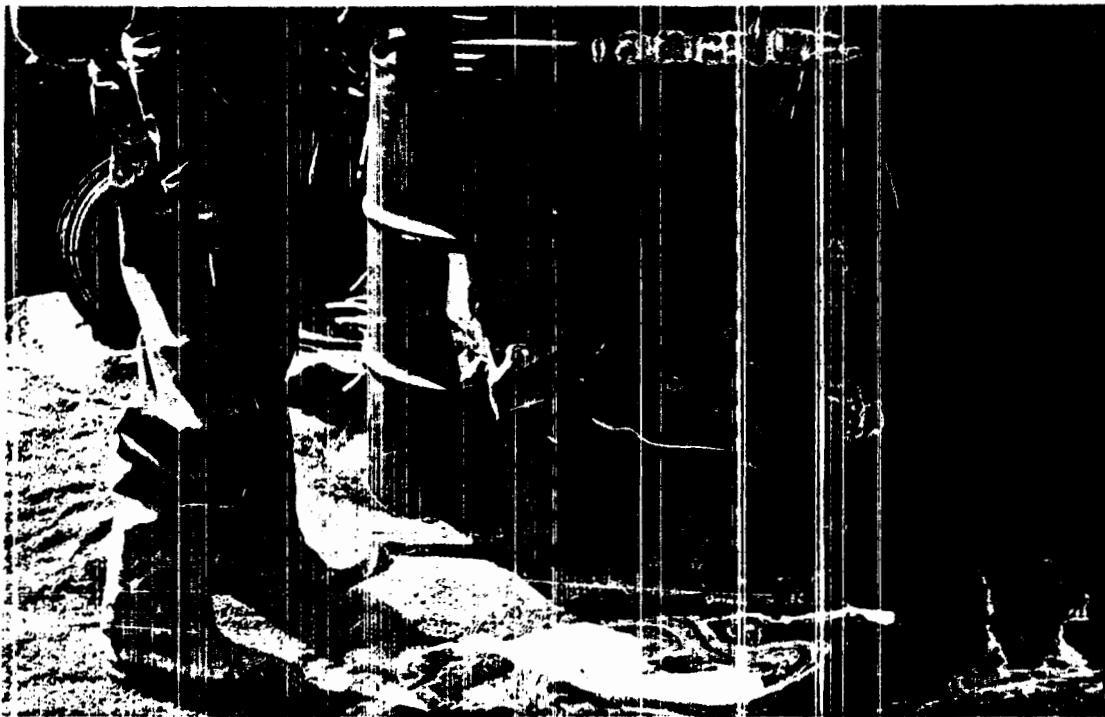
VIII. RECOMMENDATION

Because the conditions at the E-Z Chemical Site meet the criteria for a removal action under Section 104 (c) of CERCLA, I recommend your approval of an exemption from the \$ 2,000,000 limit to allow continued removal activities. After the Assistant Administrator approves these activities, this also gives my approval of the one-year exemption which has been discussed in this document. In addition, I recommend the approval of this \$1,041,600 ceiling increase of which \$881,000 are extramural costs. This would increase the total project ceiling to \$2,993,100, of which \$2,626,000 are extramural costs.

Approved May a. Sch Date 12/7/89

Disapproved _____ Date _____

E-Z Chemical Additional Funding/Exemption Request
Photographic Documentation

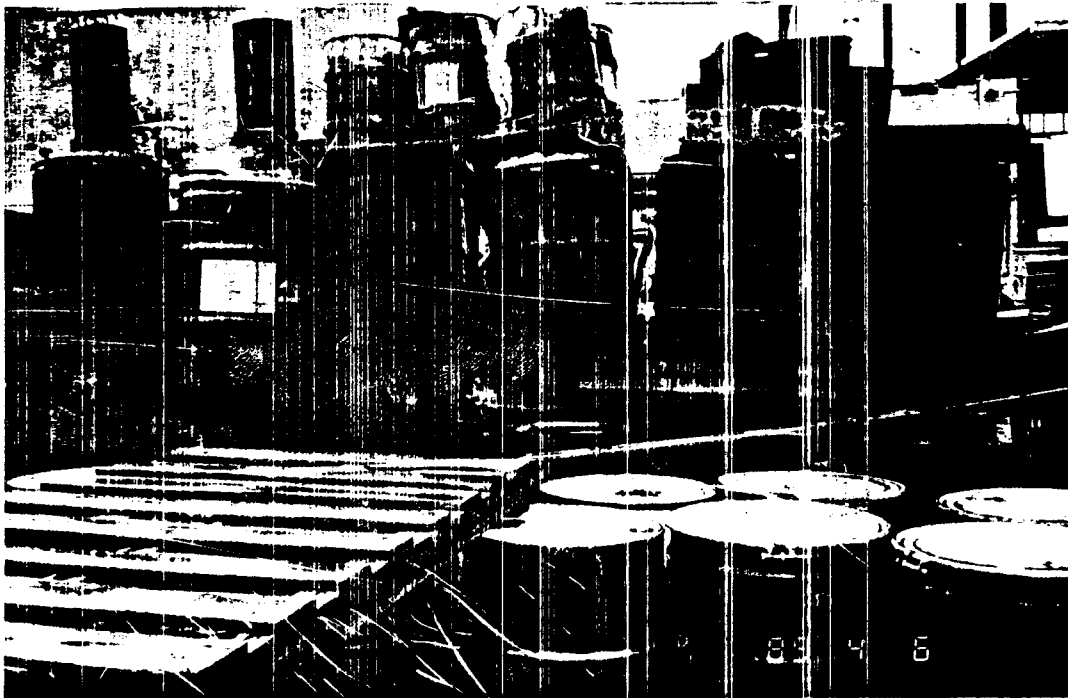


1. 4/18/89: Leaking drums has resulted in severe soil contamination.



2. 4/9/89: Poor housekeeping and exposure to the elements resulted in spillage and unstable containers.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation



3. 4/6/89: Examples of haphazard and incompatible storage. Note leakage from upper containers deteriorating those beneath them.



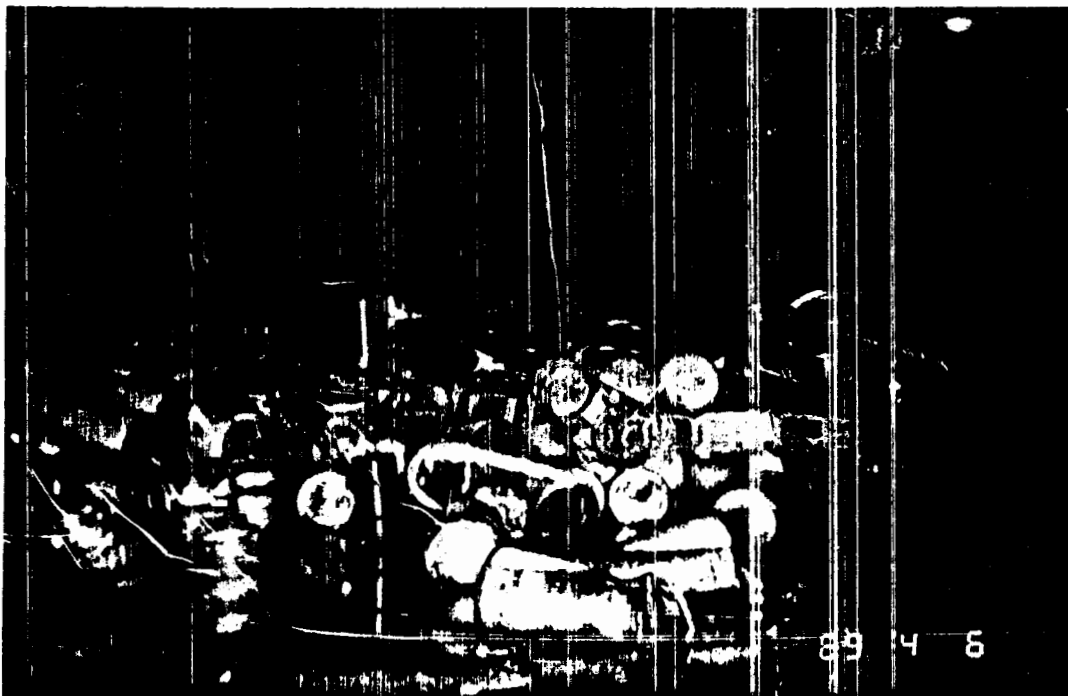
4. Oxidizers, corrosives, poisons and unknowns stored together.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation

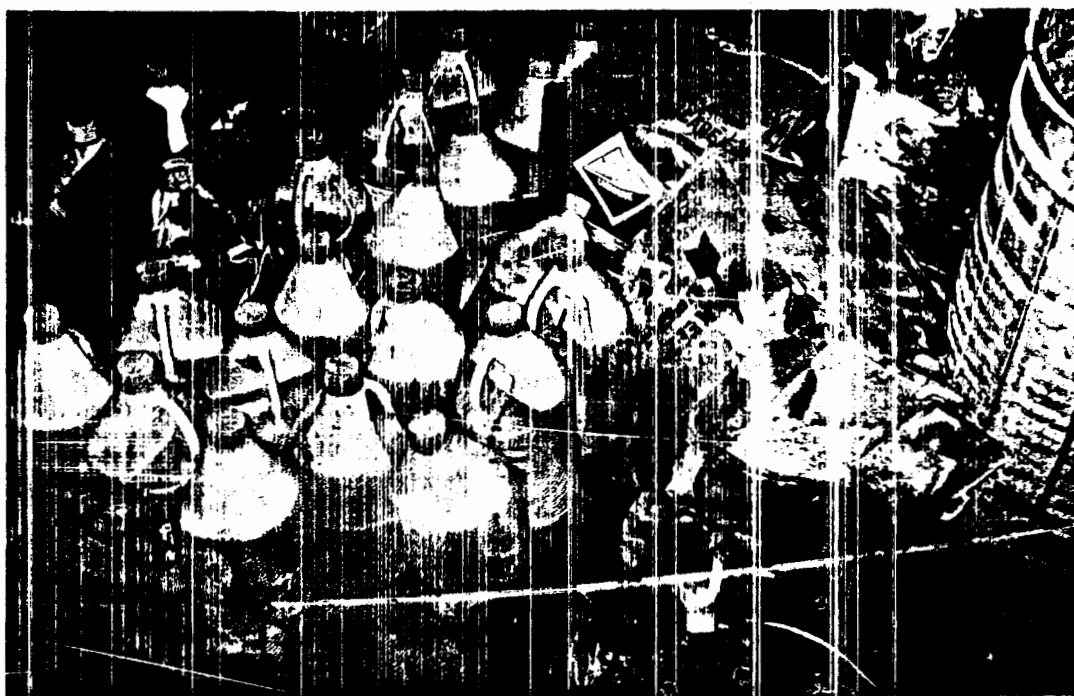
5,6. 4/6/89: Examples of poor housekeeping,
incompatible storage, deteriorated
containers, and spillage.



E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation

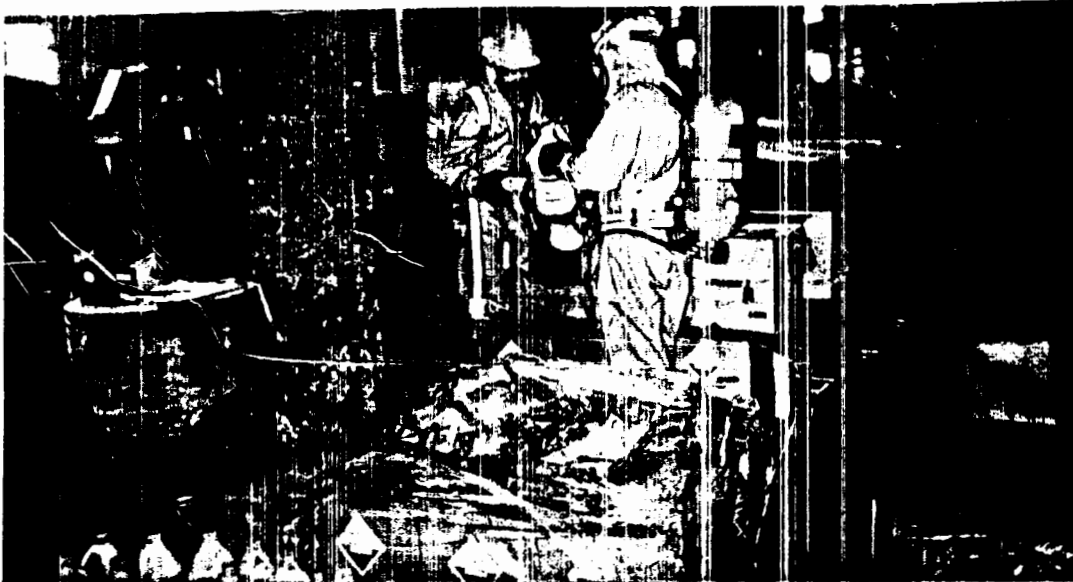


7. 4/6/89: View of the interior of the tank/warehouse (area H).

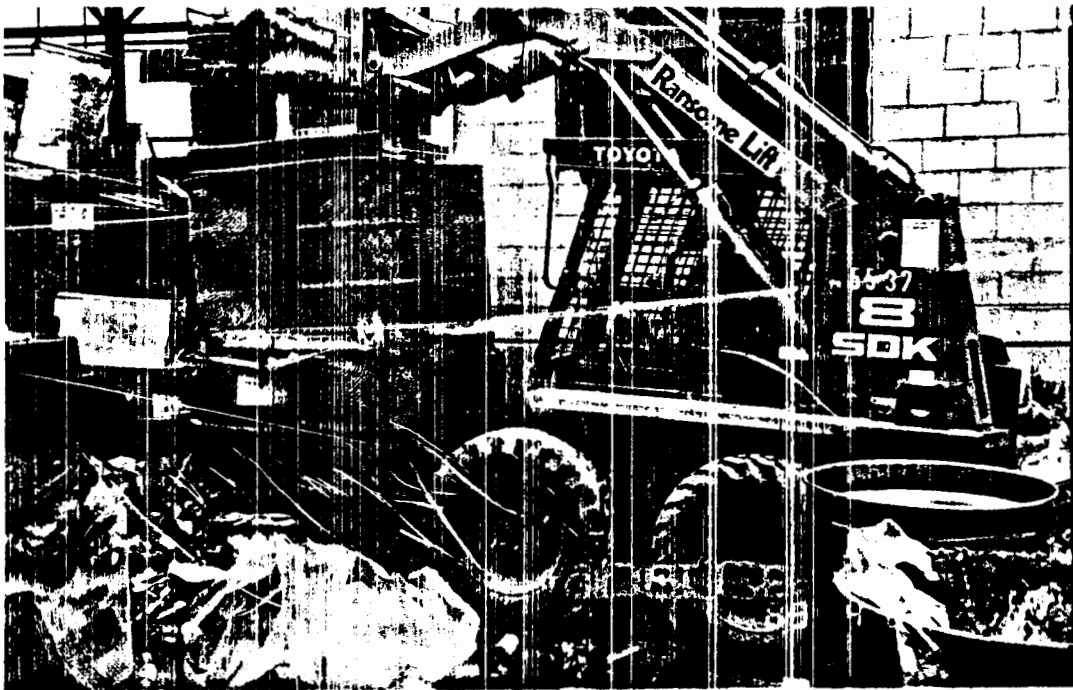


8. 6/19/89: Collapsed boxes of reagent-grade sulfuric acid in tank/warehouse.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation



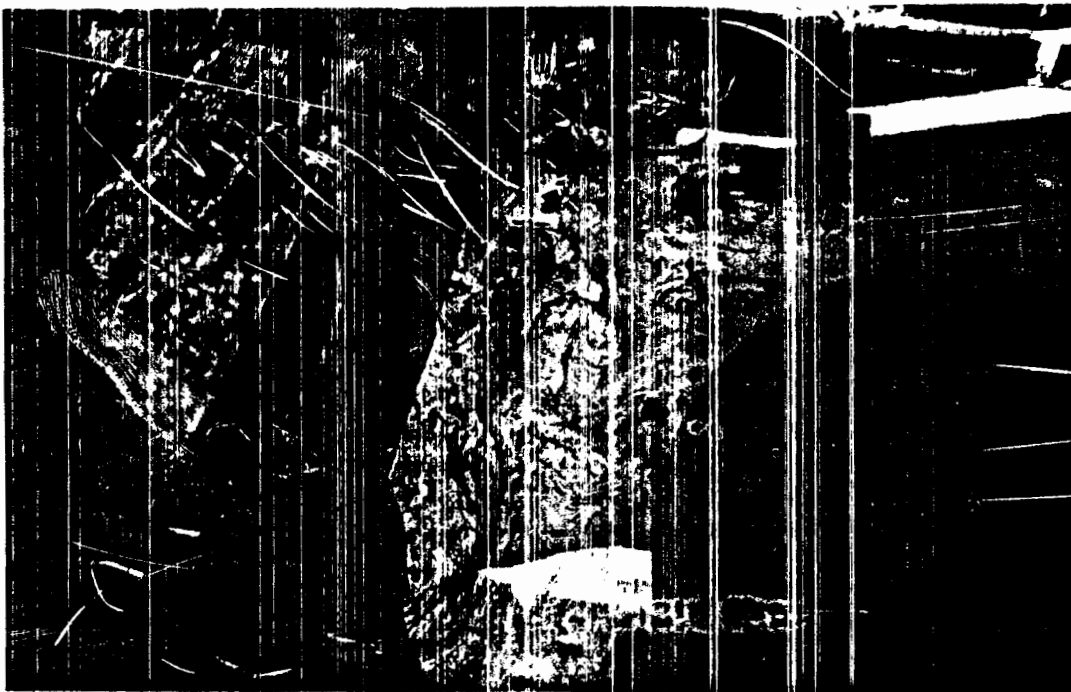
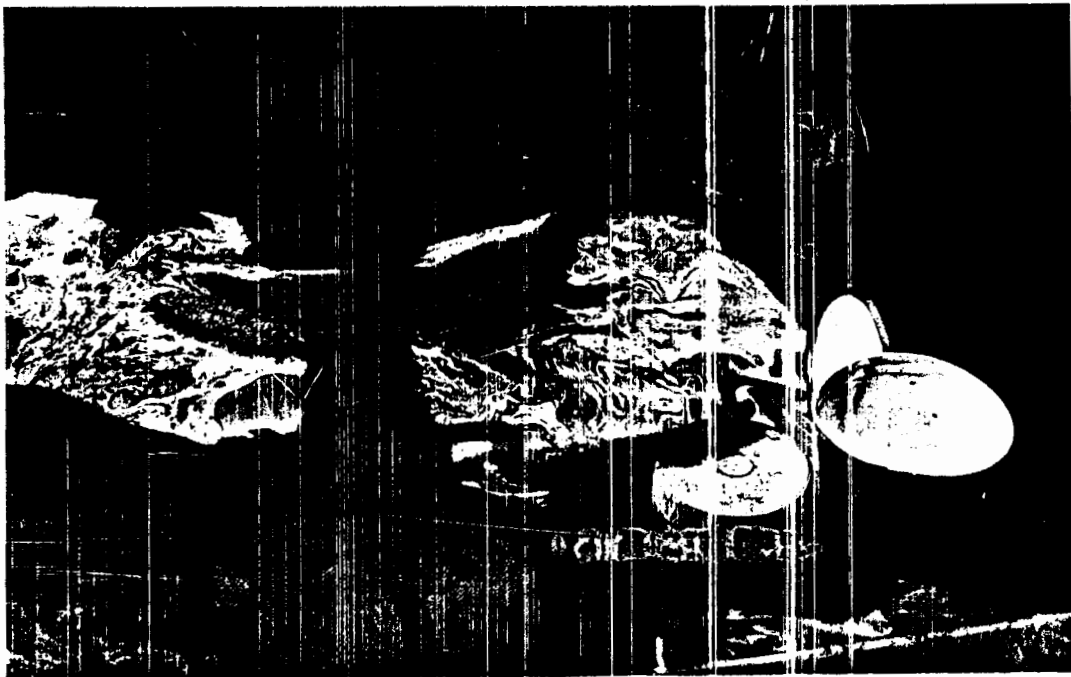
9. 6/19/89: The jugs of sulfuric acid in the tank/warehouse were repackaged into new boxes. It was necessary to repackage many of the materials taken by PRPs.



10. 4/29/89: Clearing drums from area N.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation

11, 12. 4/18/89, 6/8/89: Deteriorated drums and containers
spilling their contents continue to be discovered.

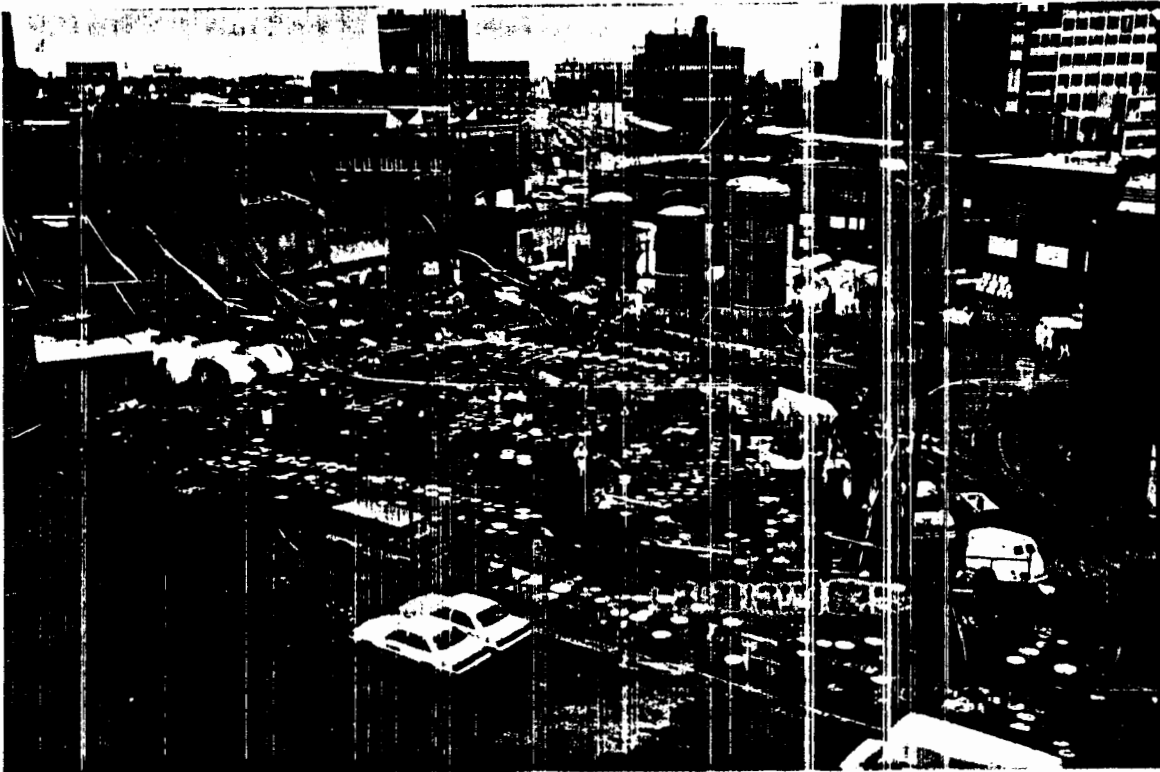


E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation



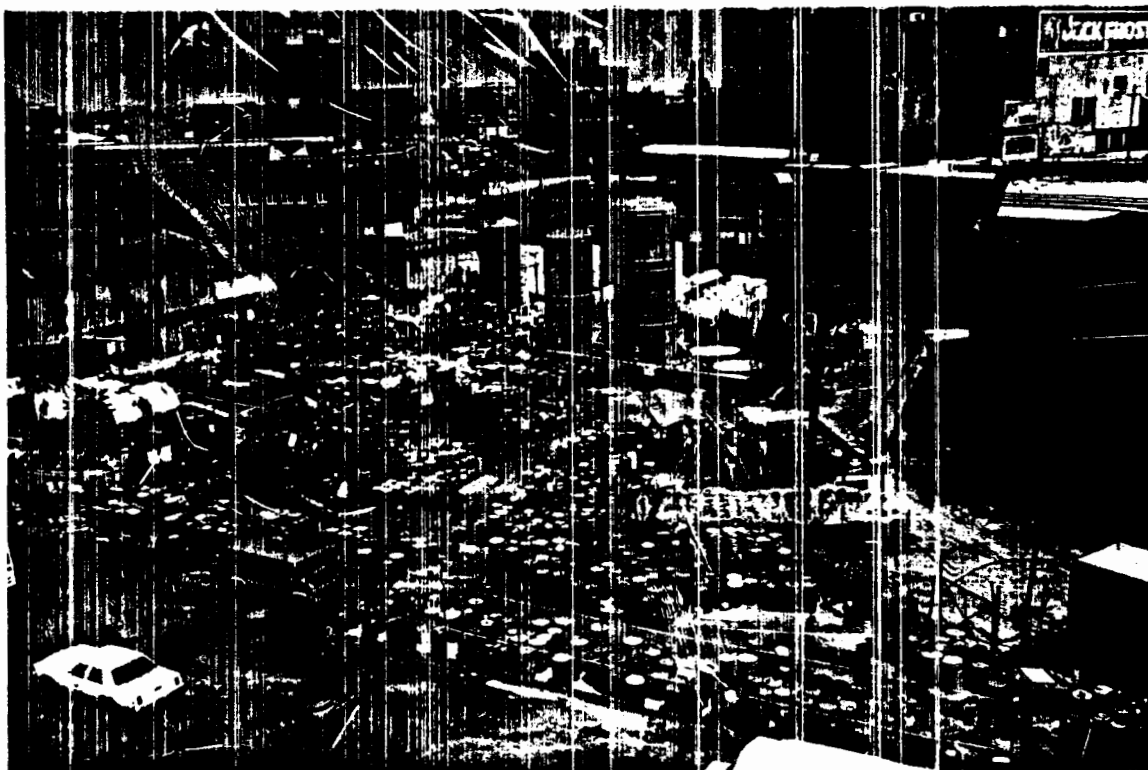
13. 4/9/89: Overview of site conditions.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation



14. 5/12/89: Overview of site conditions.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation

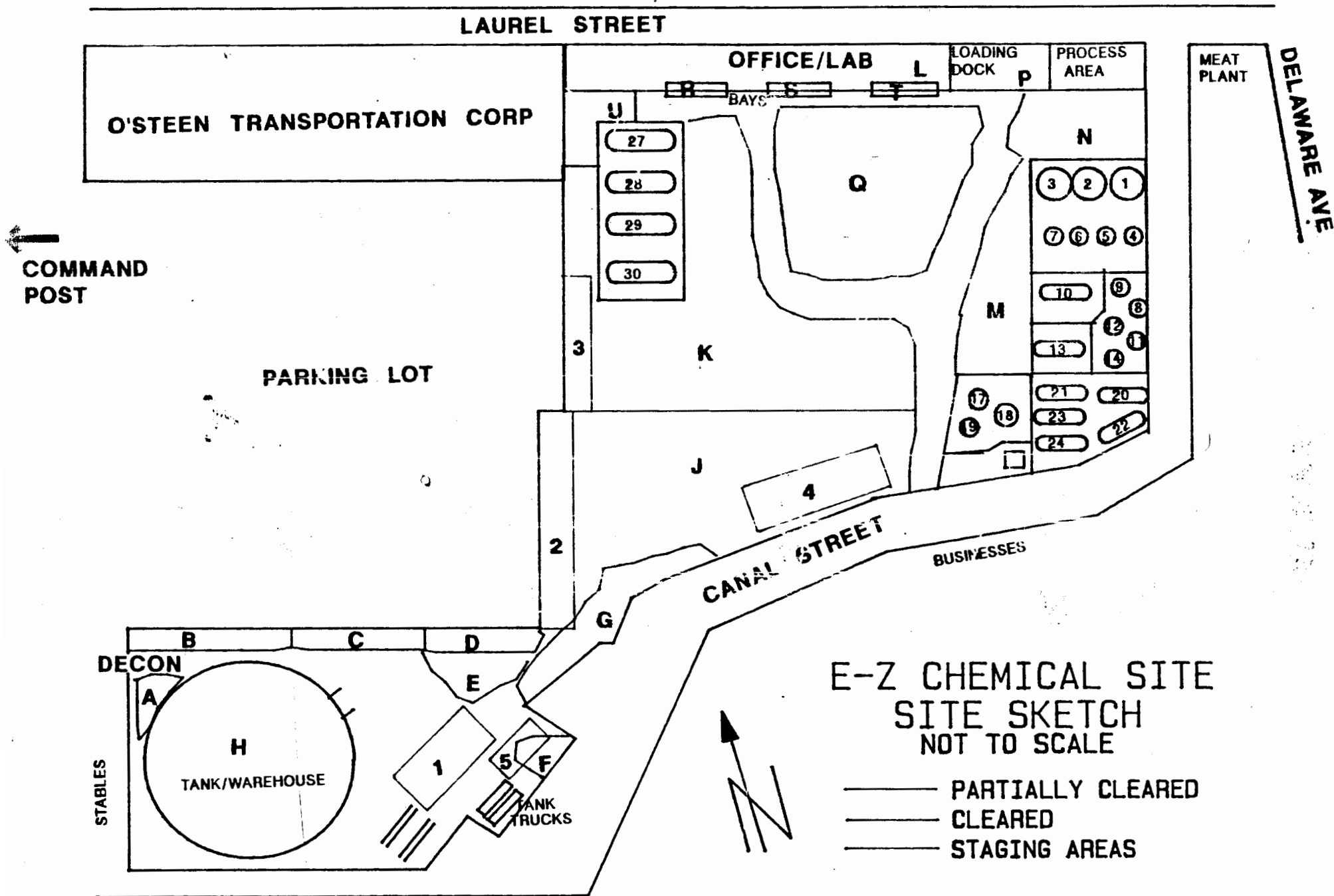


15. 6/30/89: Overview of site conditions.

E-Z Chemical Site Additional Funding/Exemption Request
Photographic Documentation



16. August 1989: Overview of site conditions.



Enforcement Confidential Memo
E.Z. Chemicals, Inc.
Philadelphia, Pennsylvania

Background:

On April 4, 1989, EPA Region III's Removal Response Section was notified by the Philadelphia Fire Marshal's Office of a potential threat to public health and the environment from the E.Z. Chemicals facility located at 48-60 Laurel Street, Philadelphia, Pennsylvania. The E.Z. facility was an operating chemical storage facility. Chemical blending and repackaging also took place at the facility.

On April 5, 1989, EPA's On-Scene Coordinator (OSC) carried out an onsite inspection with the Philadelphia Fire Department of the E. Z. facility and found deplorable environmental conditions at the site. Onsite, the OSC found approximately 20,000 drums, at least half of which most likely contained hazardous substances. The OSC identified cyanide waste, oxidizers, solvents, and corrosive compounds. E.Z. did not maintain good housekeeping or storage practices as witnessed by the many incompatible substances stored next to each other, or on top of each other. Also identified onsite were 34 storage tanks. The Owner/Operator of E.Z. told EPA that eight (8) of the storage tanks were empty and that the remaining 26 tanks contained either solvents, corrosive liquids, or plasticizers. The site also contained a laboratory containing hazardous substances.

On April 6, 1989, representatives from EPA's CERCLA Removal Enforcement Section (CRES) met with the OSC and representatives from the Philadelphia Police and Fire Departments to develop a site, removal strategy. The Philadelphia Fire Department had declared the E.Z. facility to be a fire and explosion threat on April 5, 1989. EPA concurred with this determination. The Philadelphia Department of Licensing and Inspection (L&I) served the E.Z. facility owner with a Cease, Desist and Evacuate Order on April 5, 1989. During the April 6, 1989, meeting it was decided that EPA would immediately conduct an emergency response action at the E.Z. Site to abate the fire and explosion threat. CRES would conduct a responsible party search in an attempt to identify economically viable responsible parties technically capable of performing the necessary removal activities at the site.

Potentially Responsible Party (PRP) Search Status:

On April 6, 1989, EPA's Senior Assistant Regional Counsel contacted the attorney representing the facility owner/operator to ascertain whether the facility owner/operator possessed the financial resources necessary to abate the fire and explosion threat at the site. According to the E.Z. attorney, the owner/operator, Mr. Zackrocki, did not possess the financial

resources required to abate the threats at the site. Extensive interviews and file searches conducted by RES verified the fact that Mr. Zackrocki was not an economically viable responsible party. As a result, an extensive PRP search was conducted by CRES.

CRES was successful in identifying companies and individuals who had been using E.Z. Chemicals as a storage facility for their commercial products. Because the majority of these companies and individuals stored commercial products at E.Z. Chemicals and did not dispose, treat or arrange for the treatment or disposal of these products at E.Z., these companies and individuals do not meet EPA's definition of a responsible party. However, CRES had 10 companies and individuals voluntarily sign an agreement whereby they voluntarily would remove their products from the site and take full responsibility for the transportation and final destination of the products. To date, over 1,000 product drums have been successfully removed from the site by the product owners. Up to 1,500 product drums and the bulked materials will be removed from the site by the product owners at a potential saving to the fund of \$1,000,000. The OSC has removed approximately 9,000 drums from the site to date.

The PRP search involved sending CERCLA 104(e) letters to 82 companies and individuals. Because the majority of companies contacted used E.Z. Chemicals as a storage facility only, these companies do not meet the EPA definition of a responsible party. EPA has further identified the former site owner of the property as a PRP. This PRP has been asked by EPA to finance the removal of the remaining 2,000 drums onsite. An answer is expected within 10 days of the date of this memorandum. CRES has asked the former site owner for all his existing financial records in order for EPA to ascertain his economic viability and ability to pay for the disposal of the remaining material.

Recommendation:

Additional removal funds should be released to complete the abatement of the fire and explosion threat at E.Z. Chemicals. RES will continue to pursue the former site owner in order to have him dispose of the remaining materials onsite. If it is determined that the former site owner has the financial resources available to dispose of the materials remaining at the E.Z. site EPA may issue a unilateral CERCLA Section 106 order forcing the former site owner to complete the removal activities at the site.

The current site owner and operator, Mr. Zackrocki, is ultimately responsible for the deplorable environmental condition

of his facility. However, Mr. Zackrocki does not possess the economic nor technical means needed to complete the removal activities at E.Z. Chemicals.

Christopher P. Thomas
Enforcement and Title III Section
September 11, 1989



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 19 1990

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Addendum to Region III's Request for Ceiling Increase
at the E-Z Chemical Company Site, Philadelphia, PA

FROM: Hans J. Crump Wiesner, Acting Director
Emergency Response Division

TO: Don R. Clay, Assistant Administrator

THRU: Henry L. Longest II, Director
Office of Emergency and Remedial Response

Attached is a request from the Region III Regional Administrator for a ceiling increase to continue emergency removal actions at the E-Z Chemical Company site. An exemption from the \$2M statutory limit was approved for this site on December 7, 1989. If the new ceiling increase request is approved, the total project ceiling will be raised from \$2,993,061 to \$3,488,061, of which \$2,896,411 will be for extramural cleanup contractor costs.

Approval of the ceiling increase will provide funds to continue site stabilization activities within the scope of work outlined in the \$2M exemption request. Additional funds are necessary because the owner of the facility has not complied with a unilateral order which was issued on January 12, 1990, requiring the disposal of laboratory chemicals and the contents of a number of tanks at the site. Because the owner is unwilling to comply with the requirements of the order, the burden for removal of these materials has fallen to EPA. Region III will, however, continue to pursue enforcement of the order.

It should be noted that on page 1, paragraph 3 of the ceiling increase request, reference is made to both the 1985 National Contingency Plan and 1990 National Contingency Plan. That reference should simply read: "The E-Z Chemical Company site meets all criteria for continued response actions as stated in the National Contingency Plan (40 CFR 300.415)." Also, on page 3, paragraph 1, it is stated that exemption from statutory limits was approved on October 30, 1989. That sentence should read: "A ceiling increase of \$1,041,600 and exemption from the \$2M statutory limit were approved on December 7, 1989."

Because conditions at the E-Z Chemical Company site continue to meet the emergency exemption criteria of section 104(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, I recommend that you approve Region III's request for a ceiling increase at this site by signing below.

Approved:

A handwritten signature in dark ink, appearing to be 'D. N. J.', written over a horizontal line.

Date:

4/25/90

Disapproved:

Date:

Attachment


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: Request for Ceiling Increase
at the E-Z Chemical CERCLA Removal Site,
Philadelphia County, Pennsylvania

DATE: FEB 1 1990

FROM: Edwin B. Erickson 
Regional Administrator (3RA00)

TO: Donald R. Clay, Assistant Administrator
Office of Solid Waste and Emergency Response (OS-100)

Henry L. Longest II, Director
Office of Emergency and Remedial Response (OS-200)

Hans Crump-Wiesner, Acting Director
Emergency Response Division (OS-210)

I. ISSUE

The purpose of this action memorandum is to request your approval of additional funds to continue and complete emergency removal actions at the E-Z Chemical Removal Site, Philadelphia, Pennsylvania, to abate the fire/explosion and human health threats posed by the remaining materials on site.

On December 7, 1990 the Assistant Administrator granted Region III a \$2 million exemption request for this site raising the ceiling to \$2,993,061 to continue response actions at E-Z. An additional ceiling increase in the amount of \$495,000 is now requested, which will raise the current project ceiling of \$2,993,061 to a new total of \$3,488,061, of which \$2,896,411 are Regional Allowance costs. These funds are available in the Region's FY'90 removal allocation and are planned as an obligation in the third quarter. Removal activities cannot be continued unless this exemption is granted pursuant to Section 104 (c)(1) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA).

Since flammable, shock sensitive and hazardous materials remain onsite, the threats to public health and the environment that were detailed in previous action memos for this site, also remains. The E-Z Chemical Site continues to meet all criteria for continued response actions as stated in the National Contingency Plan: Final Rule (NCP) 40 C.F.R. Section 300.65 (1985) and 300.415 (1990): (i) There is an immediate risk to public health or welfare or the environment; (ii) continued response actions are immediately required to prevent, limit, or mitigate an emergency; and (iii) such assistance will not otherwise be provided on a timely basis.

II. BACKGROUND

The E-Z Chemical Site is located at Canal and Laurel Streets in the City of Philadelphia, Pennsylvania. The area surrounding the 1.5-acre site is urban/industrial. Adjacent to the site to the southeast is a meat packing/processing plant, to the south are located several businesses, and to the southwest is located a stable area, which houses animals, including horses used for city carriage tours. This site is unique in that the heavily congested areas in the immediate vicinity present particular problems that must be addressed carefully with intricate planning. Work space is limited to the extent that the command post must be staged in the parking lot of the neighboring transportation system.

A SEPTA elevated train line and the heavily traveled Interstate 95 are located two blocks to the west of the site. An apartment complex is located two blocks south of the site on Delaware Avenue, a major north-south artery of the city.

The former E-Z Chemical Company operated as a chemical repackaging, storage, and brokerage facility. The Philadelphia Fire Marshall's Office certified the facility to be a fire and explosive threat. The operators were issued a cease, desist, and evacuate order by the Philadelphia Department of Licenses and Inspections on April 5, 1989.

The site originally consisted of 26 tanks, 2 tank trucks, a tank/warehouse, a two-story building, and storage yard. The tanks originally contained corrosives, solvents, plasticizers, and foodstuffs. Two tank trucks parked on the site contain solidified sludges. A tank with a capacity of four million gallons was converted and used on site as a warehouse for storing materials. This "warehouse" held approximately 300 drums, a pallet of laboratory containers, and 2,000 one-gallon containers of reagent-grade sulfuric acid. The building contained a garage, several storage bays, an office, and a second-floor laboratory. Thousands of containers including lab materials, test mixtures, and drums were removed from this building. The storage yard originally contained approximately 10,000 drums and other containers, most of which have been removed.

Two municipal sewer drains are located adjacent to the site on Canal Street. These drains lead to the Philadelphia Water Treatment Plant, except during heavy rainfall, in which case they empty directly into the Delaware River, approximately two blocks to the southeast.

III. RESPONSE HISTORY

The E-Z Chemical Site became a CERCLA Removal Project on April 7, 1989, under Acting Regional Administrator Stanley L. Laskowski's \$250,000 activation. At that time, security during non-working hours was instituted. An additional \$1,901,500 was approved on April 18, 1989 to continue response actions. An exemption from statutory limits and request for additional funding of \$1,041,600 was approved on October 30, 1989. The current project ceiling is \$2,993,061.

Removal activities to date have consisted of identification, segregation, and removal of product, and disposal of waste materials. The OSC has been working closely with CERCLA Removal Enforcement Section (CRES) personnel to effect cost savings by exacting recovery of products by potentially responsible parties.

The following materials have been removed from the site and properly disposed of under the current project ceiling: 1,635 drums full of product; 5,373 empty but contaminated drums; 814 cubic yards of hazardous waste debris; 105 cubic yards of solid waste; 25,188 pounds of dry product; 102,133 gallons of liquid product; and, 5,096 other empty containers.

IV. SITE CONDITIONS

Operations to remove all remaining hazardous materials from the site are in progress and are 90 percent completed. Certain materials remaining on site continue to pose an imminent threat to public health and the environment. Five of the 26 tanks on site still contain hazardous materials. The materials contained in these tanks were originally to be removed by the former operator of the facility. However, the operator has not removed these materials.

Three of these tanks contain chlorinated solvent wastes. Due to the poor condition of the tanks, one has already experienced a significant leakage. This leakage was not caused by external forces, but by the deteriorating condition of the tank's structure. Fortunately, the release was immediately recognized by the security officers on scene and the appropriate assistance was obtained. A prompt containment of the materials was performed and a potential release halted. Should the site be demobilized and security discontinued, additional releases may go unnoticed for an unspecified period of time. The total amount of chlorinated solvents remaining in tanks on site is estimated to be 18,500 gallons.

A fourth tank that needs to be addressed contains 5,000 gallons of flammable liquid waste. As this tank is also in poor condition, this material poses a fire and explosion threat. A fifth tank on site contains 10,000 gallons (approximately 84,000 pounds) of methylene chloride, which poses a health threat rather than a fire and explosion threat. Methylene chloride is a narcotic and possible carcinogen and a hazardous substance. The reportable quantity for methylene chloride is 10 pounds.

Approximately 700 laboratory containers still remain on site, and some must be disposed of. The materials in some of these containers are extremely hazardous, such as, uranyl nitrate, which is a radioactive, shock-sensitive material, and sodium azide, which is a poisonous, potentially shock-sensitive material. Other acute poisons, such as benzyl cyanide, are also included in this inventory. Most of these are hazardous substances.

Two tankers containing solidified sludges with significant levels of chlorinated compounds and sulfides remain on site. This material is also acidic in nature. In addition, approximately 200 drums containing hazardous substances remain on site and still require disposal. A high percentage of these drums contain sludge that must be solidified on site. Further, the contents of some drums, such as cyanide salts, require lengthy disposal time. The site meets the criteria (i), (iii) and (vi) specified in Sections 300.65 (1985) and 300.415 (1990) of the NCP, because of the facts described above.

Estimates on disposal of these materials have already been obtained. Prompt delegation of additional funds would allow work to continue without interruption so that completion of work could be performed in a minimum amount of time.

V. PROPOSED ACTIONS & ESTIMATED COSTS

If approved, the additional funds will be used to complete cleanup activities necessary to abate the threat to public health and the environment. The proposed actions are as follows:

- Complete disposal of all drums containing hazardous materials, which includes solidification of sludges contained in the drums.
- Remove hazardous materials from five tanks on site, dispose of contents, and decontaminate tanks.
- Dispose of laboratory containers on site.

- Dispose of two sludge tankers on site.

VI. SUMMARY OF COSTS

	Current Ceiling	Additional Funds	New Ceiling
Extramural Costs			
ERCS Contractor (includes sub- contracts, disposal, and contingency)	\$2,455,000	\$418,000	\$2,873,000
TAT	270,000	12,000	282,000
USCG	23,411	0	23,411
Extramural Subtotal	\$2,748,411	\$430,000	\$3,178,411
Intramural Costs			
EPA Direct	\$ 87,000	\$ 7,200	\$ 94,200
EPA Indirect	157,650	12,800	170,450
Intramural Subtotal	\$ 244,650	\$ 20,000	\$ 264,650
10% Project Contingency		\$ 45,000	\$ 45,000
TOTAL PROJECT CEILING	\$ 2,993,061	\$ 495,000	\$ 3,488,061

VII. RECOMMENDATION

Because the conditions at the E-Z Chemical Site continue to meet the criteria for a removal action under Section 104 (c) of CERCLA, as amended by SARA, and the criteria for continued response actions under the National Contingency Plan 300.415, I recommend the approval of a \$495,000 ceiling increase. This will raise the total project ceiling to \$3,488,061, of which \$2,896,411 are for Regional Allowance costs. Please show your approval or disapproval by signing below.

Approved _____ Date _____

Disapproved _____ Date _____

Enforcement Confidential Memo
E.Z. Chemicals, Inc.
Philadelphia, Pennsylvania

Background:

On April 4, 1989, EPA Region III's Removal Response Section was notified by the Philadelphia Fire Marshal's Office of a potential threat to public health and the environment from the E.Z. Chemicals facility located at 48-60 Laurel Street, Philadelphia, Pennsylvania. The E.Z. facility was an operating chemical storage facility. Chemical blending and repackaging also took place at the facility.

On April 5, 1989, EPA's On-Scene Coordinator (OSC) carried out an onsite inspection with the Philadelphia Fire Department of the E. Z. facility and found deplorable environmental conditions at the site. Onsite, the OSC found approximately 20,000 drums, at least half of which most likely contained hazardous substances. The OSC identified cyanide waste, oxidizers, solvents, and corrosive compounds. E.Z. did not maintain good housekeeping or storage practices as witnessed by the many incompatible substances stored next to each other, or on top of each other. Also identified onsite were 34 storage tanks. The Owner/Operator of E.Z. told EPA that eight (8) of the storage tanks were empty and that the remaining 26 tanks contained either solvents, corrosive liquids, or plasticizers. The site also contained a laboratory containing hazardous substances.

On April 6, 1989, representatives from EPA's CERCLA Removal Enforcement Section (CRES) met with the OSC and representatives from the Philadelphia Police and Fire Departments to develop a site removal strategy. The Philadelphia Fire Department had declared the E.Z. facility to be a fire and explosion threat on April 5, 1989. EPA concurred with this determination. The Philadelphia Department of Licensing and Inspection (L&I) served the E.Z. facility owner with a Cease, Desist and Evacuate Order on April 5, 1989. During the April 6, 1989, meeting it was decided that EPA would immediately conduct an emergency response action at the E.Z. Site to abate the fire and explosion threat. CRES would conduct a responsible party search in an attempt to identify economically viable responsible parties technically capable of performing the necessary removal activities at the site.

Potentially Responsible Party (PRP) Search Status:

On April 6, 1989, EPA's Senior Assistant Regional Counsel contacted the attorney representing the facility owner/operator to ascertain whether the facility owner/operator possessed the financial resources necessary to abate the fire and explosion threat at the site. According to the E.Z. attorney, the owner/operator, Mr. Zackrocki, did not possess the financial

resources required to abate the threats at the site. Extensive interviews and file searches conducted by CRES verified the fact that Mr. Zackrocki was not an economically viable responsible party. As a result, an extensive PRP search was conducted by CRES.

CRES was successful in identifying companies and individuals who had been using E.Z. Chemicals as a storage facility for their commercial products. Because the majority of these companies and individuals stored commercial products at E.Z. Chemicals and did not dispose, treat or arrange for the treatment or disposal of these products at E.Z., these companies and individuals do not meet EPA's definition of a responsible party. However, CRES had 10 companies and individuals voluntarily sign an agreement whereby they voluntarily would remove their products from the site and take full responsibility for the transportation and final destination of the products. To date, over 1,635 product drums have been successfully removed from the site by the product owners at a potential saving to the fund of \$1,000,000. The OSC has removed, in addition to the product drums, 5,373 empty drums, 814 cubic yards of hazardous waste debris, 105 cubic yards of solid waste, 25,188 pounds of dry product; 102,133 gallons of liquid product, and 5,096 other empty containers.

The PRP search involved sending CERCLA Section 104(e) letters to 82 companies and individuals. Because the majority of companies contacted used E.Z. Chemicals as a storage facility only, these companies do not meet the EPA definition of a responsible party. EPA has further identified the former site owner of the property as a PRP.

EPA issued a CERCLA 106 unilateral order to the former site owner on January 12, 1990. This order required the former site owner to dispose of the approximately 10,000 bottles, vessels, and containers of laboratory chemicals which had been stored haphazardly at the site. The former site owner has not complied with the requirements of the Order. EPA will pursue enforcement of the Order, however, because the former site owner is unwilling to remove the laboratory chemicals from the site the burden for the removal of these laboratory chemicals has fallen to the OSC. No other viable PRPs have been identified by CRES after an extensive PRP search. A unilateral order was also issued to Mr. Zackrocki, the site owner, on January 12, 1990 requiring Mr. Zackrocki to allow the former site owner access to the site for purposes of removing the laboratory chemicals.

Recommendation:

Additional removal funds should be released to complete the abatement of the fire and explosion threat at E.Z. Chemicals. Due to the lack of a viable and willing PRPs to conduct the removal activities at the site it is necessary that EPA complete the removal project.

CRES may apply the stipulated penalty provision of the January 12, 1990 order against Mr. Goldfine for non-compliance with the Order. However, the fire and explosion threat which still exists at the site must be abated immediately. Shock sensitive materials still remain on-site. It is hereby recommended that the OSC be granted his request for additional funding in order to complete the removal project.

The current site owner and operator, Mr. Zackrocki, is ultimately responsible for the deplorable environmental condition of his facility. However, Mr. Zackrocki does not possess the economic nor technical means needed to complete the removal activities at E.Z. Chemicals.

Christopher P. Thomas
Enforcement and Title III Section
April 2, 1990